

CPA/1773

PTO/SB/29 (10-00)

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CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL
Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

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Address to: Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No. of Prior Application	ATM-2244
	First Named Inventor	Wilfried JUD et al.
	Examiner Name	Monique R. Jackson
	Group Art Unit	1773
	Express Mail Label No.	

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 09 / 505,713
filed on 02/17/00, entitled STERILIZABLE COMPOSITE FILM

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NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- ☒ Enter the unentered amendment previously filed on 02/13/02 and 04/26/02 under 37 CFR 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
.....
 - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
 - ☐ PTO-1449
 - ☐ Copies of IDS Citations

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02 FC:102 84.00 OP

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	18 -20* =	---	x \$ _____ =	\$
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	4 -3** =	1	x \$ 84 =	84.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ _____ =	
				BASIC FEE (37 CFR 1.16)	\$ 740.00
	Total of above Calculations =				\$ 824.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
	* Reissue claims in excess of 20 and over original patent.				
	** Reissue independent claims over original patent.				
	TOTAL =				\$ 824.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 06-1110:
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☒ Fees required under 37 CFR 1.18.
8. ☒ A check in the amount of \$ 84.00 is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☒ New Attorney Docket Number, if desired ATM-2244
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☐ Other: _____

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number or Bar Code Label		<input checked="" type="checkbox"/> New correspondence address below (Insert Customer No. or Attach bar code label here)			
Name	Fisher Christen & Sabol				
Address	1725 K Street, N.W. Suite 1401				
City	Washington	State	DC	Zip Code	20006
Country	United States	Telephone	202 659-2000	Fax	202 659-2015

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print IType)	Virgil H. Marsh
Signature	<i>Virgil H. Marsh</i>
Registration No. (Attorney/Agent)	23,083
Date	June 19, 2002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: ATM-2244

Applicant : Wilfried JUD et al.

Serial No. : 09/505,713

Examiner: M. Jackson

Filed : February 17, 2000

Art Unit: 1773

Title : STERILIZABLE COMPOSITE FILM

PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Please amend this application as follows:

In the Claims:

In accordance with 37 C.F.R. 1.121, please cancel Claims 15 to 19, 21, 22, 27 to 29 and 32 to 37 and insert new Claims 38 to 54. The changes made are shown explicitly in the attached "Version With Markings to Show Changes Made".

Please cancel Claims 15 to 19, 21, 22, 27 to 29 and 32 to 37.

Please insert new Claims 38 to 54, as follows:

38. A sterilizable composite film containing a barrier layer that is impermeable to water vapor and gases comprising a metal foil and on both sides of the barrier layer at least one functional layer, the composite film having a layer structure containing one on top of the other in the following sequence:

(a) a first functional layer containing a plastic film that is a polyester, a polyamide, or a polyolefin, or an extrusion layer of a polyolefin, or one or more lacquer layers, or print and lacquer layers, or print layers;

(b) a metal foil having a thickness of 5 to 100 μm ; and

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